

# ***UNITED STATES DISTRICT COURT***

WESTERN DISTRICT OF NEW YORK

**Angelo Martinez**

**Plaintiff,**

**v.**

**JUDGMENT IN A CIVIL CASE**

**Tom Schoellkopf, Commissioner's  
hearing officer, DOCS; M. Mazur,  
C.O., Attica Correctional Facility,**

**Defendant(s).**

**CASE NUMBER: 01-CV-6194**

- ☐ **JURY VERDICT.** THIS ACTION CAME BEFORE THE COURT FOR A TRIAL BY JURY. THE ISSUES HAVE BEEN TRIED AND THE JURY HAS RENDERED ITS VERDICT.
- ☒ **DECISION BY COURT.** THIS ACTION CAME TO HEARING BEFORE THE COURT. THE ISSUES HAVE BEEN HEARD AND A DECISION HAS BEEN RENDERED.

**IT IS ORDERED AND ADJUDGED DEFENDANT'S MOTION (#13) FOR SUMMARY JUDGEMENT ON THE GROUNDS THAT THE COMPLAINT IS TIME BARRED BY THE STATUTE OF LIMITATIONS IS GRANTED. HAVING GRANTED DEFENDANT'S MOTION ON THIS BASIS, THE COURT DEEMS IT UNNECESSARY TO ADDRESS OTHER GROUNDS FOR SUMMARY JUDGEMENT RAISED BY EITHER PLAINTIFF OR DEFENDANT. THE ACTION IS DISMISSED.**

JULY 13, 2005  
DATE

RODNEY G. EARLY  
CLERK

JOHN H. FOLWELL  
(BY) DEPUTY CLERK